



Australian Capital Territory

Agents (Transitional Provisions) Regulation 2022

SL2022-9

made under the

Agents Act 2003

Republication No 1

Effective: 1 July 2022 – 11 April 2023

Republication date: 1 July 2022

Regulation not amended

About this republication

The republished law

This is a republication of the *Agents (Transitional Provisions) Regulation 2022*, made under the *Agents Act 2003* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 July 2022. It also includes any commencement, repeal or expiry affecting this republished law.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial amendments

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see *Legislation Act 2001*, s 133).



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Agents (Transitional Provisions) Regulation 2022

made under the

Agents Act 2003

1 Name of regulation

This regulation is the *Agents (Transitional Provisions) Regulation 2022*.

3 Offence against Act, s 21 (1) (b) (i)—exception for registered real estate, stock and station salespeople

- (1) This section applies to a person if, immediately before the commencement day, the person was 1 or both of the following under the pre-amendment Act:

- (a) a registered real estate salesperson;
- (b) a registered stock and station salesperson.

- (2) The [Act](#), section 21 (1) (b) (i) does not apply to the person for the period beginning on the commencement day and ending on 30 June 2023.

Note The defendant has an evidential burden in relation to the matters mentioned in s (1) (see [Criminal Code](#), s 58).

- (3) In this section:

commencement day means the day the *Fair Trading and Other Justice Legislation Amendment Act 2022*, part 2 commences.

pre-amendment Act means the Act, as in force immediately before the commencement day.

4 Class 1 licensed property agents—equivalent additional class 1 training

- (1) The commissioner for fair trading may decide that a higher qualification, equivalent qualification or substantially equivalent qualification, including a qualification completed before the commencement day, satisfies the additional class 1 training required to be completed under the [Act](#), section 230 (3) or section 231 (3).
- (2) In this section:
commencement day—see section 3 (3).

5 Expiry

This regulation expires on 30 June 2023.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

Agents (Transitional Provisions) Regulation 2022 SL2022-9

notified LR 30 June 2022

s 1, s 2 commenced 30 June 2022 (LA s 75 (1))

remainder commenced 1 July 2022 (s 2 and see [Fair Trading and Other Justice Legislation Amendment Act 2022 A2022-8 s 2 \(2\)](#))

Note [Regulation exp 30 June 2023 \(s 5\)](#)

4 Amendment history

Commencement

s 2 om LA s 89 (4)

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